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Attorneys for Nominal Defendant
BROCADE COMMUNICATIONS SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE BROCADE COMMUNICATIONS
SYSTEMS, INC. DERIVATIVE
LITIGATION

Case No. C 05-02233 CRB

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE FINAL APPROVAL
HEARING TO FEBRUARY 8, 2008**

This Document Relates to:

ALL ACTIONS

WHEREAS, on August 10, 2006, plaintiffs Stephen Knee, Robert Galluscio, William Pratt, and Anjani K. Jha, nominal defendant Brocade Communications Systems, Inc., individual defendants Antonio Canova, Michael Klayko, Seth D. Neiman, Neal Dempsey, Christopher B. Paisley, David L. House, Nicholas G. Moore, L. William Krause, Sanjay Vaswani, Robert R. Walker, Mark Leslie, Paul Bonderson, Larry W. Sonsini, William K. O'Brien and Michael J. Byrd, and defendant KPMG, LLP (the "Parties") entered into an Amended Stipulation of Settlement (the "Amended Stipulation") to settle the derivative Actions;

WHEREAS, on August 10, 2006, the Parties submitted the Amended Stipulation to this court for preliminary approval;

1.

**STIPULATION & [PROPOSED] ORDER TO
CONTINUE FINAL APPROVAL HEARING
CASE NO. C 05-02233 CRB**

1 **WHEREAS**, on February 14, 2007, the Court issued an Order granting preliminary
2 approval of the Amended Stipulation, setting a hearing for final approval to be held on April 27,
3 2007, and providing that Notice of the Amended Stipulation be provided to shareholders no later
4 than March 23, 2007;

5 **WHEREAS**, on April 27, 2007, the Court issued an Order continuing the hearing for final
6 approval to August 24, 2007, rescheduling associated deadlines accordingly, and dismissing
7 KMPG from the action without prejudice;

8 **WHEREAS**, the Court issued subsequent Orders continuing the hearing for final approval
9 to November 1, 2007 and December 21, 2007;

10 **WHEREAS**, the following are currently scheduled with the Court:

- 11 1. The hearing for final approval is December 21, 2007;
- 12 2. A case management conference ("CMC") is scheduled for December 21, 2007;
- 13 3. Briefs regarding the parties' position on settlement are currently due December 6,
14 2007, with any reply papers to be filed by December 11, 2007;

15 **WHEREAS** the Parties wish to continue the December 21, 2007 final approval hearing
16 and CMC for a period of sixty (60) days to permit additional discussions;

17 **WHEREAS**, the Parties understand that 10:00 a.m. on February 8, 2008, is available on
18 the Court's calendar, the Parties are also available on this date and they request it;

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2.

**STIPULATION & [PROPOSED] ORDER TO
CONTINUE FINAL APPROVAL HEARING CASE
No. C 05-02233 CRB**

1 **NOW, THEREFORE**, the Parties hereby stipulate as follows:

2 1. The final approval hearing and CMC currently scheduled for December 21, 2007,
3 shall be rescheduled to 10:00 a.m. on February 8, 2008, (the "Hearing Date") and associated
4 deadlines shall be rescheduled accordingly;

5 2. Any briefs outlining a Party's position on the Stipulation shall be filed by
6 January 24, 2008; and

7 3. Reply briefs shall be filed by January 29, 2008.

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9 Dated: December 5, 2007

FARUQI & FARUQI, LLP

10
11 /s/ Adam Gonelli

Adam Gonelli

12 Co-Lead Counsel For Plaintiffs

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14 Dated: December 5, 2007

COOLEY GODWARD KRONISH LLP

15
16 /s/ Grant P. Fondo

Grant P. Fondo

17 Attorneys For Nominal Defendant,
18 Brocade Communications Systems, Inc.

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28 3. **STIPULATION & [PROPOSED] ORDER TO
CONTINUE FINAL APPROVAL HEARING CASE
No. C 05-02233 CRB**

1
2 Dated: December 5, 2007

HELLER EHRMAN LLP

3
4 /s/ Alexander Lyon

Alexander Lyon

5 Attorneys For Defendant Antonio Canova

6 Dated: December 6, 2007

WILMER CUTLER PICKERING HASLE &
DORR LLP

8
9 /s/ Jeffrey B. Rudman

Jeffrey B. Rudman

10 Attorneys For Defendant Seth Neiman

11
12 Dated: December __, 2007

K&L GATES LLP

13
14
15 Jeffrey L. Bornstein

16 Attorneys For Defendant Neal Dempsey

17
18 Dated: December __, 2007

SHEARMAN & STERLING LLP

19
20
21 Stephen D. Hibbard

22 Attorneys For Defendants
23 Christopher B. Paisley, David L. House,
24 Nicholas G. Moore, L. William Krause,
25 Sanjay Vaswani, Robert R. Walker

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28 4. **STIPULATION & [PROPOSED] ORDER TO
CONTINUE FINAL APPROVAL HEARING CASE
No. C 05-02233 CRB**

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Dated: December __, 2007

HELLER EHRMAN LLP

Alexander Lyon

Attorneys For Defendant Antonio Canova

Dated: December __, 2007

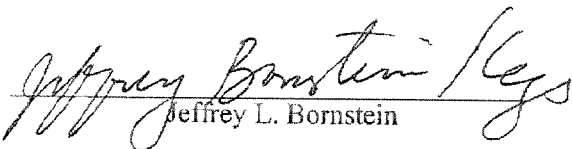
WILMER CUTLER PICKERING HASLE &
DORR LLP

Jeffrey B. Rudman

Attorneys For Defendant Seth Neiman

Dated: December 5, 2007

K&L GATES LLP


Jeffrey L. Bornstein

Attorneys For Defendant Neal Dempsey

Dated: December __, 2007

SHEARMAN & STERLING LLP

Stephen D. Hibbard

Attorneys For Defendants
Christopher B. Paisley, David L. House,
Nicholas G. Moore, L. William Krause,
Sanjay Vaswani, Robert R. Walkor

4. STIPULATION & [PROPOSED] ORDER TO
CONTINUE FINAL APPROVAL HEARING CASE
No. C 05-02233 CRB

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Dated: December __, 2007

HELLER EHRMAN LLP

Alexander Lyon

Attorneys For Defendant Antonio Canova

Dated: December __, 2007

WILMER CUTLER PICKERING HASLE &
DORR LLP

Jeffrey B. Rudman

Attorneys For Defendant Seth Neiman

Dated: December __, 2007

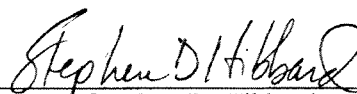
K&L GATES LLP

Jeffrey L. Bornstein

Attorneys For Defendant Neal Dempsey

Dated: December 5, 2007

SHEARMAN & STERLING LLP



Stephen D. Hibbard

Attorneys For Defendants
Christopher B. Paisley, David L. House,
Nicholas G. Moore, L. William Krause,
Sanjay Vaswani, Robert R. Walker

4. STIPULATION & [PROPOSED] ORDER TO
CONTINUE FINAL APPROVAL HEARING CASE
No. C 05-02233 CRB

Dated: December __, 2007

SKADDEN ARPS SLATE MEAGHER &
FLOM LLP

/s/ Garrett J. Waltzer

Garrett J. Waltzer

Attorneys For Defendant
Gregory L. Reyes

~~[PROPOSED]~~ ORDER

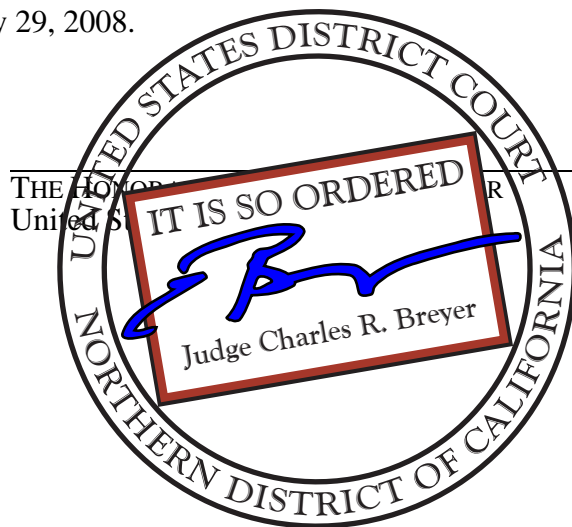
Pursuant to the stipulation of counsel, IT IS SO ORDERED:

1. The hearing on final approval scheduled for December 21, 2007, shall be
2008
rescheduled to 10:00 a.m. on February 8, 2007, and the associated deadlines shall be
rescheduled accordingly;

2. Any briefs outlining a Party's position on the Stipulation shall be filed by
January 24, 2008; and

3. Reply briefs shall be filed by January 29, 2008.

Dated: December 7, 2007



5. STIPULATION & ~~[PROPOSED]~~ ORDER TO
CONTINUE FINAL APPROVAL HEARING CASE
No. C 05-02233 CRB

FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation and [Proposed] Order to Continue Final Approval Hearing To February 8, 2008.

Dated: December 6, 2007

COOLEY GODWARD KRONISH LLP

By: _____/s/_____
Jessica Valenzuela Santamaria

6. **STIPULATION & [PROPOSED] ORDER TO
CONTINUE FINAL APPROVAL HEARING CASE
No. C 05-02233 CRB**